

**ORIGINAL**

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Joe Dale Martinez, et al.

Plaintiff

v.

Refinery Terminal Fire Company

Defendant

Civil Action No. 2:11-cv-295

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Refinery Terminal Fire Company  
may be served through its registered agent for service, Lonnie Bartlett,  
4802 Up River Road, Corpus Christi, Texas 78407

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

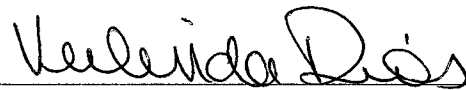
Craig M. Sico  
Sico, White, Hoelscher & Braugh, L.L.P.  
802 N. Carancahua, Suite 900  
Corpus Christi, TX 78401  
Telephone: 361-653-3300

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

9/13/11



Signature of Clerk or Deputy Clerk

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<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>		DATE <u>September 14, 2011 @ 1:48 PM.</u>
NAME OF SERVER (PRINT) <u>Billy D. Deel</u>		TITLE <u>Process Server</u>
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>4802 Up River Road, Corpus Christi, Texas, 78407</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input checked="" type="checkbox"/> Other (specify): <u>Delivered to Refinery Terminal Fire Company by delivering to its Registered Agent Lonnie Bartlett</u>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL —	SERVICES —	TOTAL —
<b>DECLARATION OF SERVER</b>		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>Sept 14, 2011</u> <small>Date</small>	<u>Billy D. Deel</u> <small>Signature of Server</small>	BILLY D. DEEL TEXAS CERTIFIED PROCESS SERVER SCH # 000000408
<b>TEXAS CIVIL PROCESS, INC.</b> Address of Server <u>1650 Brownlee Blvd.</u> <u>P.O. Box 3785</u> <u>Corpus Christi, TX 78463-3785</u>		

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.